

RCRA, SUPERFUND & EPCRA CALL CENTER MONTHLY REPORT
November 2002

2. Disposal of Wastewaters and the Liquids in Landfills Prohibition

A wood preserving facility generates chlorophenolic residuals (F032) containing less than 1 percent by weight total organic carbon (TOC) and less than 1 percent by weight total suspended solids (TSS), which meet the definition of a wastewater under the land disposal restrictions (LDR) program (40 CFR Section 268.2). The facility treats the waste in accordance with the Section 268.40 treatment standards for the F032 wastewater treatability group and places the waste in containers. Can the containerized F032 wastewaters, which have been treated to meet LDR, be placed in a Subtitle C landfill without violating the liquids in landfills prohibition (Sections 264/265.314)?

Although the waste meets the Section 268.40 LDR treatment standard for the F032 wastewater treatability group, the waste remains subject to the Sections 264/265.314 restrictions applicable to containerized wastes because LDR and the liquids in landfills prohibition are independent and mutually exclusive requirements. The liquid in landfills restriction does not permit the placement of either bulk or containerized liquid hazardous waste or hazardous waste containing free liquids in a landfill. The presence or absence of free liquids in the waste can be determined using SW-846 Method 9095 (Sections 264.314(c) and 265.314(d)). If Method 9095 reveals the presence of free liquids, the containers holding the F032 wastewaters cannot be placed in the landfill until all free-standing liquid: (1) has been removed by decanting or other methods; (2) has been mixed with appropriate sorbents or solidified so that free-standing liquid is no longer observed; or (3) has been otherwise eliminated (Sections 264.314(d) and (e) and 265.314(c) and (f)). Finally, unless the containers are very small (e.g., ampules, vials), they would have to be either 90 percent full, crushed, or similarly reduced in volume to the maximum extent possible prior to placement in a landfill (Sections 264/265.315).